

Notice of Allowability

Application No.

09/759,171

Examiner

Marc Jimenez

Applicant(s)

ZIMMERMANN, LOTHAR

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 6/14/04.
2. ☒ The allowed claim(s) is/are 1-22 and 24-60.
3. ☒ The drawings filed on 16 January 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 06142004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Marc Jimenez
AU 3726
7/23/04

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Mueller on 7/23/04.

The application has been amended as follows:

In the claims:

Claim 31 (Currently Amended): in line 2, "to" has been deleted.

Claim 34 (Currently Amended): in line 2, "to" has been deleted.

2. The following is an examiner's statement of reasons for allowance:

Applicant's amendments to the claims and arguments under the "REMARKS" section of the response filed 6/14/04 overcome the prior art rejections.

The prior art does not teach or suggest a roll for smoothing a web including a covering layer (3) having at least one thermosetting plastic and at least one thermoplastic, wherein the at least one thermoplastic has a melting temperature which is below a glass transition temperature of the at least one thermosetting plastic, wherein the covering layer contains no through-apertures and has a smooth outer surface, in combination with all of the other claim limitations of independent claims 1, 47, and 52.

Regarding independent claim 52, the examiner agrees with applicant's arguments on pages 27-30 that it would not have been obvious to combine the teachings of Paasonen et al. with Holroyd et al. because Holroyd et al. is directed to rollers having a porous

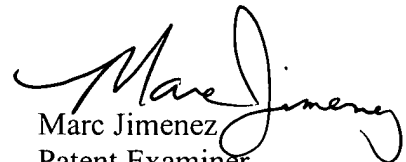
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layer, whereas Paasonen et al. is directed to a roller having no through apertures. Furthermore, there is no teaching that the layer of Holroyd et al. could be used as a layer having no through apertures. Finally, Holroyd et al. is directed to an ironer used for smoothing cloth which are generally very large rollers whereas Paasonen et al. is directed to a printing roll for a paper machine which are relatively very small rollers. Therefore, it would not have been obvious to combine the teachings of Paasonen et al. with Holroyd et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Jimenez whose telephone number is (703) 306-5965. The examiner can normally be reached on Monday-Friday between 5:30 a.m.-2:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Marc Jimenez
Patent Examiner
AU 3726

MJ
July 23, 2004